IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.1851 OF 2005
IN
APPEAL NO.105 OF 2005
IN
NOTICE OF MOTION NO.1961 OF 2004
IN
SUIT NO.2963 OF 2001

Dharamendra A. Khotawala Applicant

versus

Ramesh L. Sejpal and others Respondents

Mr.A.M.Sarogi for applicant.

None for respondents.

CORAM : DR.S.RADHAKRISHNAN AND
S.C.DHARMADHIKARI, JJ.

DATE : 9th September 2005

PC :

1. Heard learned counsel for applicant. None appears for respondents. Learned counsel for the applicant states that the respondents have duly been served and undertakes to file affidavit proving service. Perused the affidavit in support.

2. By this Notice of Motion the applicant is seeking condonation of two months delay in making

payment as per the order dated 12th January 2005. Learned counsel for the applicant brought to our notice that the amount has already been paid and duly received by the respondents, as indicated by receipt issued on 12th August 2005. Learned counsel for applicant states that the entire amount of Rs.7.00 lakh (Rs.Seven lakh) has been paid to the respondents. In these facts and circumstances delay in making payment of Rs.7.00 lakh is condoned. Parties to act on an authenticated copy of this order duly issued by the registry.

(DR.S.RADHAKRISHNAN, J.)

(S.C.DHARMADHIKARI, J.)